

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION

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JUN 27 2014

U. S. DISTRICT COURT
MID. DIST. TENN.

ROBERT ZENAS WHIPPLE, III

Plaintiff,

v.

DERRICK SCHOFIELD, et al.

Defendants.

CASE NO. 1:13-cv-00109

CHIEF JUDGE HAYNES

JURY DEMAND

Denied
This motion is
DENIED. Plaintiff's new
claim should be submitted

PLAINTIFF'S MOTION TO REINSTATE DEBRA JOHNSON AS DEFENDANT

Comes now the plaintiff and moves to reinstate Debra Johnson as a defendant in this suit.

As grounds for this motion, plaintiff avers:

1. On May 30, 2014, Plaintiff was threatened with retaliation by Ms. Johnson for engaging in protected conduct (see ¶ 2, Exhibit A, *Declaration in Support...*).
2. Plaintiff dismissed Ms. Johnson with the express intent of avoiding retaliation (*Id.* ¶ 4).
3. Ms. Johnson retaliated against the plaintiff by having false disciplinary charges filed against him and removing him from his program assignment, contrary to written policies and procedures (*Id.* ¶¶ 5—9).
4. In Plaintiff's motion to dismiss (Docket Entry No. 213), he specifically requested "leave to reinstate Ms. Johnson as defendant should she retaliate in any way."

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.